

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**BRADFORD S. DAVIC,**

**Petitioner,**

**v.**

**WARDEN, TRUMBULL  
CORRECTIONAL INSTITUTION,**

**Respondent.**

**CASE NO. 2:13-CV-00736**

**JUDGE GREGORY L. FROST**

**Magistrate Judge Elizabeth A. Preston Deavers**

**OPINION AND ORDER**

On October 17, 2014, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. Petitioner has filed an *Objection* to the Magistrate Judge's *Report and Recommendation*.

Petitioner objects to the recommendation of dismissal of his claim that he did not knowingly, intelligently or voluntarily enter a guilty plea due to an off-the-record promise that he would be sentenced to ten years to life in prison and would be eligible for parole after ten years. Petitioner acknowledges that he did not raise this purported promise when the trial judge asked if there were any other promises made to him that were not in the written plea agreement. Petitioner nonetheless contends that the prosecutor, too, did not disclose a promise because he had not yet revealed that he had agreed to dismiss one of the charges as well as the sexually-violent predator specifications. Petitioner also points to the fact that his attorney stated at sentencing that they anticipated a sentence of ten years to life.

Despite Petitioner's protestations to the contrary, however, for the reasons already detailed in the Magistrate Judge's *Report and Recommendation*, the record contradicts, rather than lends support to Petitioner's claim.

Pursuant to 28 U.S.C. § 636(b), this Court has conducted a *de novo* review. Petitioner's *Objection*, ECF 10, is **OVERRULED**. The *Report and Recommendation*, ECF 8, is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
United States Magistrate Judge